

City Council Minutes

April 14, 2003

The Council of the city of Milton-Freewater met in regular session on Monday, April 14, 2003 at 7:00 p.m. in the council chambers of City Hall.

The following members were present: Mayor Key, Councilors Saager, Lyon, Humbert, Woods and Kelley and also Youth Representative Colahan. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Library Director Bob Jones, Police Chief Mike Gallaher, Public Works Superintendent Howard Moss, Police Officers Marcus Goodwater and Matt Harrington. Councilor Records was out of town.

Citizens present were Curtis Walters, Merle Sherman, Rick Currin, Doug Henrichs, Diane Biggs, Judy Piper, Darrell Gomsrud, and others.

There were no members of the press present.

PRESENTATION OF PLAQUE to the Library Foundation for their contribution to the realization of our new library. The presentation included life-time borrower cards for each member of the foundation, namely, Doug Henrichs, Kris Hedine, Susan Bradbury, Diane Biggs, Rick Currin, Barbara Coddington, Judy Piper, Darrell Gomsrud, Royal Hansen, Margarita Zaragoza and Bob Jones. The Library Foundation raised \$1.25 million in matching funds for the Valley Foundation Library Grant and handled the construction of the new building.

Library Director Bob Jones was recognized for making this dream become a reality by pursuing a grant through the Valley Foundation.

Doug Henrich announced the Library Dedication on April 15, 2003 at 10:00am.

PRESENTATION OF AWARD. Chief Gallaher said he found himself critiquing the work of police employees whether it is the result of a citizen complaint, use of force in general operating procedures and police methodology, or important reviews of special events. The good and honorable efforts of members of law enforcement are often taken for granted, just as is the case with employees in other professions. Chief Gallaher stated he had missed opportunities to offer recognition for outstanding efforts and even with the best intentions will miss more to come, but for now it is with pleasure that an opportunity is seized. Chief Gallaher had Police Officer Marcus Goodwater come forward while he shared with him a moment of appreciation to his dedication to work and then read the Letter of Commendation to Officer Goodwater that was submitted to Chief Gallaher by Sergeant Richmond. Chief announced that Officer Goodwater is one of two officers in our department that has received specialized training in child abuse investigation, child and victim interviewing, and in the fields of physical and sexual abuse. As a result of that training and the assignment of School Resource Officer, Officer Goodwater has been called several times to investigate several complaints of physical and sexual abuse. During one episode while working several cases, Sergeant Richmond sent Officer Goodwater to investigate a complaint. Officer Goodwater, after multiple interviews, discovered an additional

victim and other parties associated with the case. He applied the proper techniques for interviewing children and scheduled necessary appointments with Guardian Care Center in Pendleton, Oregon. Officer Goodwater had a rapport with one of the victims through his experience as our community's DARE Instructor. Officer Goodwater was able to assist with providing a secure residence for the victim while the investigation unfolded. His diligence resulted in the effective preparation of a critical case for prosecution. This conduct shows Officer Goodwater as an exemplary officer in child abuse investigation techniques. He is recognized for his professionalism and accepting the commitment. Along with the Letter of Commendation, Chief Gallaher awarded Officer Goodwater with the Chief's Medal of Merit to honor his contribution and ongoing commitment to this often difficult task of trying to protect and provide a sense of hope and resolution to young people.

CONSENT CALENDAR ITEMS: Items on the consent calendar included minutes from the March 24, 2003 meeting. Councilor Kelley moved to adopt the Consent Calendar and Councilor Lyons seconded the motion which passed unanimously.

Mayor Key announced to the audience that this was the opportunity for citizens to approach the council with concerns not on the agenda. None approached.

NEW BUSINESS

PROCLAMATION. Mayor Lewis Key read his proclamation declaring the month of April 2003 to be National Sexual Assault Awareness Month.

MANAGER'S REPORT

City Manager Delphine Palmer read a small handwritten note that was on her desk when she returned. The note was from Greg Smith and said he was pleased to report the speaker of the house had assured him there would be no forced consolidation of 9-1-1. Please share this news with the council. Ms. Palmer also received an email from Ed Brookshire of Hermiston reporting the same news. Ms. Palmer said the only issue now is to ensure the same funding as before. Ms. Palmer thanked our staff, especially Chief Gallaher, for all their efforts to keep our dispatch unit local and that the event shows that someone listens.

Public Works Superintendent Howard Moss gave an update on our street project. Mr. Moss said there were deeper cleaning, thicker asphalt and curb removal in some areas added to the project. Mr. Moss said the asphalt would have been poured this week but has now been delayed till the middle of next week. Mr. Moss thought the project should be completed sometime in the middle of May.

Councilor Lyon said he was pleased with the thicker asphalt as he felt it would retain its integrity much longer. Councilor Saager announced that the City was doing a fabulous job. The Lamb Street project will be beautiful, the bridge is nice and Councilor Saager is very proud of the project stating the project will be a real asset to this community. Mr. Moss said there would be some beautification done along this project area.

COUNCIL CONCERNS

Councilor Saager said he had a concern for our community. He further reported that a woman came into his store this very afternoon and wrote a check for \$160 for merchandise. Because of a check alert from the Chamber of Commerce, the check was not accepted, but when an employee called our local police department, they knew nothing of this person, yet this person has written bad checks in both Walla Walla and Milton-Freewater. Councilor Saager stated he felt the police department should be working together with the Chamber of Commerce regarding the check alert program as his only recourse was to deny acceptance of the check, but could not stall her for police intervention. Assistant City Manager Linda Hall asked where Councilor Saager received his information regarding checks. Councilor Saager said he received a call list from the Chamber of Commerce and the Chamber receives their information from the bank. City Manager Delphine Palmer said this same situation exists in Newport, Washington, but that the police department was the main entity involved in their check alert program. Ms. Palmer suggested talking to the Chamber's manager, Jon MacFarland, to ensure that our police department is included in this program. Police Chief Gallaher said he felt the program would be benefited by including the police department and further explained that our Umatilla County District Attorney's office will not prosecute for bad checks under \$200; however, will determine aggravate value if multiple bad checks are written. City Manager Delphine Palmer said this situation would have to be resolved and that this may be a subject for the next Merchant's meeting as well.

City Manager Delphine Palmer stated that the Executive Session would have to be rescheduled for our next meeting.

Councilor Woods wanted to publicly say he appreciated the Support Your Troops rally on Friday night.

There being no further business the meeting was adjourned at 7:35 p.m.

Lewis S. Key, Mayor

April 28, 2003

The Council of the city of Milton-Freewater met in regular session on Monday, April 28, 2003 at 7:00 p.m. in the council chambers of City Hall.

The following members were present: Mayor Key, Councilors Saager, Lyon, Humbert, Woods, Records and Kelley and also Youth Representative Colahan. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Finance Director Dave Richmond, Police Chief Mike Gallaher and Electric Superintendent Mike Charlo. There were no citizens present.

Members of the press present were Jeff Durham of the Blue Mountain Pioneer and Jeannine Koranda of the East Oregonian.

CONSENT CALENDAR ITEMS: Items on the consent calendar included minutes from the April 14, 2003 meeting. Councilor Kelley moved to adopt the Consent Calendar and Councilor Woods seconded the motion which passed unanimously.

NEW BUSINESS

RESOLUTION NO. 1926 Write-off Uncollectible Debts. Finance Director Dave Richmond stated this resolution was to write off \$36,000.00 in bad debts and that \$9,600.00 of it is from Tarasco Industries for past due utilities and rent for the Commercial Kitchen. The other debts have been with the Credit Bureau for at least one (1) year. Mayor Key stated that the list shows people that still live in town and asked if their utilities were in another name. Mr. Richmond said they were trying to limit the ability for people to place their utility privilege in another name, but occasionally this still happens. Mr. Richmond further stated that after a year, deposits are returned to individuals that may have financial difficulties later leaving the City with no recovery method. This may need to be addressed at a later time. Councilor Woods asked again about people living in the area, that some on the list were deceased, but asked if these debts would ever be collectible. Mr. Richmond stated that if an individual files for bankruptcy, the debt can not be retrieved; however, if an individual comes in at a later date, they would have to clear any utility debt with the Credit Bureau before they could open another account. Almost weekly the City experiences individuals that think it has been long enough for their past debt to be forgotten and when determined it has not, sends someone else in to apply for service. Councilor Saager reiterated that Tarasco Industries was the account that really hurt at almost \$10,000.00. Councilor Humbert asked if Tarasco Industries had taken out bankruptcy. Mr. Richmond said he did not believe Tarasco had taken out bankruptcy yet, but the debt was listed with the Credit Bureau. Councilor Humbert asked if the City could collect on Tarasco's business license bond of \$3,000. Mr. Richmond said he would research that. Assistant City Manager Linda Hall stated that when City attorney Doug Hojem became involved with the business affairs of Tarasco Industry, that it was determined they were a corporation "shell." Councilor Saager added that Tarasco Industry had left some merchandise which the City has partly sold.

Councilor Kelley moved to adopt Resolution No. 1926 Authorizing the Finance Department to write off uncollectible debts. Councilor Humbert seconded the motion which passed unanimously.

RESOLUTION NO. 1927 Supplemental Budget Law Enforcement Vest Grant. Finance Director Dave Richmond stated that law enforcement vests have about a fifteen-year life span and each year the City tries to purchase at least one vest. This year the budget included one vest and then Grant Writer Mike Watkins and Police Sergeant Darren Richman applied for a matching grant and so the City will now be able to purchase two vests for the price of one. Councilor Woods asked what made these vests wear out. Police Chief Mike Gallaher said that moisture, sun exposure, wear friction will deteriorate the vests.

Councilor Saager moved to adopt Resolution No. 1927 Supplementary Budget for the Law Enforcement Vest Grant. Councilor Kelley seconded the motion which passed unanimously.

ORDINANCE NO. 914 Amending City Code 5-6-25 Regarding Electric Line Extension Policy. Electric Superintendent Mike Charlo said that for our extension policy when a customer comes in and wants to put in a new service or some kind of new construction any where from a pump service all the way to a housing subdivision or factory, the Electric Department will converse with the customer to determine what level of load will be placed on our system and will also figure an estimate to determine what the estimated cost to provide service will be. The extension allowances are what the City offers the customer for free. These costs will be deducted from the estimate and the customer pays the difference. In the existing extension allowance the City offers \$250 towards wire, meter, pole, insulators and cut-outs. The City offers \$750 free towards a transformer that would be needed and there is no labor costs involved as well. The Extension rules have not been changed since 1988. Costs have now increased significantly during the last fifteen years and so a survey was performed with several utilities. The new proposal eliminates the \$250 for wire, meter, pole, insulators and cut-outs. The new proposal also reduces the amount the City offers towards the transformer by \$100 and labor would not be charged as well unless the labor exceeded a proposed \$2,500 cap on free labor. Councilor Humbert asked if the contractor would have the option of laying their own conduit versus employing our utility department. Mr. Charlo responded saying the City has not allowed that because the site must be inspected and if something is missed during the inspection and the line fails, the City utility is responsible for repair. The City has allowed contractors to do their own trenching and backfilling. The City charges \$0.75 per foot for trenching and backfilling and Mr. Charlo feels this is comparable or cheaper than most contractors can do. Councilor Woods asked how many projects there are annually. Mr. Charlo said there were approximately three to four monthly. Councilor Saager stated he agreed with Councilor Woods, that this ordinance did need updating after fifteen years.

Councilor Saager moved Ordinance No. 914, be introduced and full reading waived. Councilor Lyons seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Humbert, yea, Councilor Woods, yea, Councilor Records, yea, and Councilor Kelley yea. Motion carried unanimously. The City Manager then read the ordinance by title. Councilor Kelley moved to adopt Ordinance No. 914 by title only and full reading waived. Councilor Saager seconded and the motion carried unanimously. The City Manager read the ordinance by title. Councilor Records moved to adopt Ordinance No. 914, Councilor Humbert seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Humbert, yea, Councilor Woods, yea, Councilor Records, yea and Councilor Kelley, yea.

RESOLUTION NO. 1928 Amending Line Extension Fees. Electric Superintendent Mike Charlo said that the Resolution allows up to \$650 per extension for a transformer, caps labor at \$2,500, and allows \$100 flat fee for service drop and meter.

Councilor Kelley moved to adopt Resolution No. 1928. Councilor Saager seconded the motion which passed unanimously.

MANAGER'S REPORT

City Manager Delphine Palmer said all were working hard for Thursday night's budget meeting, getting overheads done, and hopefully will be able to accomplish the task with no more than two meetings. Ms. Palmer reiterated the meeting would be at 7:00 pm in the Council Chamber at City Hall.

Ms. Palmer announced she would be attending a Homeland Security session.

Ms. Palmer said that interviews for the Fire Chief would take place on Tuesday morning. There are four internal candidates.

Ms. Palmer said there were still a few user fees needed from one of the departments. Ms. Palmer further stated that as with the extension fees, that Councilor Woods pointed out, many other fees have not been reviewed or updated in several years and after reviewing a survey of other cities, many fees are not implemented in our city at all. We will get this document to you as soon as we get some other fee research completed.

Ms. Palmer stated she had also been working on the Police Association bargaining unit contract and it should be on the next council agenda under executive session.

COUNCIL CONCERNS

Councilor Humbert updated the Council on the Watershed meeting. There is discussion about installing a large reservoir. There are several plots, but Councilor Humbert stated he would like to see this reservoir be as close to Milton-Freewater as possible. The Corp of Engineers has not made any decisions as to where this reservoir should be located. Councilor Humbert said this reservoir would be hundreds of thousands of gallons. Councilor Kelley asked about recreation and Councilor Humbert said he would like to see a recreation factor. Councilor Woods explained the relationship between the Corp of Engineers and Confederated Tribes and also explained about the dam and reservoir that will store water for later irrigation use. Councilor Humbert also suggested that the Electric Department may be involved if a turbine could be placed in the dam. Councilor Humbert explained the concern over stormwater, but did not feel this was a huge issue at this time, that there may be solutions to the limited problem that may exist. City Manager Delphine Palmer stated she and Public Works Superintendent Howard Moss had had several discussions about stormwater issues because they know this issue is huge and will be coming soon to the City. As with other cities, our City is concerned about mandates coming down without funds to support them. Councilor Saager asked if the Corp of Engineers mentioned anything about the multi-million dollar fish ladder fiasco. Councilor Humbert said there were problems with the fish ladder and the Corp of Engineers is having to work on the issues rising from their engineering errors.

Councilor Woods updated council on the Anderson Perry Scholarship program saying that six applications have been received. Assistant City Manager Linda Hall said she would send the applications out to council members and have them choose one candidate. Councilor Saager asked if there were any criteria for choosing an applicant. Councilor Woods said the application had GPA, SAT scores and an attached essay that could all be used, but it was determined there was no concrete criteria for scoring.

Youth Representative Colahan announced there would be another play at the high school and that he would be in it. Please come and attend.

Councilor Kelley announced she would be unable to attend the first budget meeting.

There being no further business the meeting was adjourned at 7:46 p.m.

Lewis S. Key, Mayor